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6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**

8 UNITED STATES OF AMERICA,) 3:18-CR-002-MMD-(VPC)
9 Plaintiff,)
10 v.) Preliminary Order of Forfeiture
11 DAVID GUILMETTE,)
12 Defendant.)

13 This Court finds that defendant DAVID GUILMETTE pled guilty to Count One of a
14 One-Count Indictment charging him with Receipt of Child Pornography in violation of Title 18,
15 United States Code, Section 2252A(a)(2). Indictment, ECF No. 1; Plea Agreement, ECF No. 17;
16 Change of Plea, ECF No. 19.

17 This Court finds defendant DAVID GUILMETTE agreed to the forfeiture of the property
18 set forth in the Plea Agreement and the Forfeiture Provision of the Indictment. Indictment, ECF
19 No. 1; Plea Agreement, ECF No. 17; Change of Plea, ECF No. 19.

20 This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of
21 America has shown the requisite nexus between property set forth in the Plea Agreement and the
22 Forfeiture Provision of the Indictment and the offense to which defendant DAVID GUILMETTE
23 pled guilty.

24 The following property is subject to forfeiture pursuant to Title 18, United States Code,
25 Section 2253:

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1 1. Acer Aspire Laptop computer, SN: NXM1BAA001217060F62000, containing
2 one Western Digital hard drive, Model: WD7500BPVX; SN: WD-
3 WX71E33MJE81; and

4 2. UNR Blue and Silver 35 gigabyte thumb drive
5 (all of which constitutes property).

6 This Court finds the United States of America is now entitled to, and should, reduce the
7 aforementioned property to the possession of the United States of America.

8 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that
9 the United States of America should seize the aforementioned property.

10 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest
11 of DAVID GUILMETTE in the aforementioned property is forfeited and is vested in the United
12 States of America and shall be safely held by the United States of America until further order of
13 the Court.

14 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of
15 America shall publish for at least thirty (30) consecutive days on the official internet government
16 forfeiture website, www.forfeiture.gov, notice of this Order, which shall describe the forfeited
17 property, state the time under the applicable statute when a petition contesting the forfeiture must
18 be filed, and state the name and contact information for the government attorney to be served
19 with the petition, pursuant to Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code,
20 Section 853(n)(2).

21 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any individual or
22 entity who claims an interest in the aforementioned property must file a petition for a hearing to
23 adjudicate the validity of the petitioner's alleged interest in the property, which petition shall be
24 signed by the petitioner under penalty of perjury pursuant to Title 21, United States Code,
25 Section 853(n)(3) and Title 28, United States Code, Section 1746, and shall set forth the nature

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1 and extent of the petitioner's right, title, or interest in the forfeited property and any additional
2 facts supporting the petitioner's petition and the relief sought.

3 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be
4 filed with the Clerk of the Court, Bruce R. Thompson U.S. Courthouse and Federal Building,
5 400 South Virginia Street, 3rd Floor, Reno, NV 89501, no later than thirty (30) days after the
6 notice is sent or, if direct notice was not sent, no later than sixty (60) days after the first day of
7 the publication on the official internet government forfeiture site, www.forfeiture.gov.

8 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if
9 any, shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at
10 the following address at the time of filing:

11 Greg Addington
12 Assistant United States Attorney
13 100 West Liberty Street, Suite 600
Reno, NV 89501

14 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described
15 herein need not be published in the event a Declaration of Forfeiture is issued by the appropriate
16 agency following publication of notice of seizure and intent to administratively forfeit the above-
17 described property.

18 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Clerk send copies
19 of this Order to all counsel of record.

20 DATED this 16th day of March, 2018.

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24 UNITED STATES DISTRICT JUDGE
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